

In re Application of: Michelson et al.
Serial Number: 09/736,906

REMARKS

The Office Action of October 23, 2003 has been carefully considered together with the references cited therein. In view of the claim amendments as identified above and the following remarks, it is believed that the application is now in condition for allowance.

Claims 1 and 3-20 were previously pending in this application. The Office Action rejected all pending claims. Claims 1, 3-6, 9-13, 16, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amtex Corporation (EP 0782338A2) in view of Suzuki et al. (US 6,067,070). Claims 7, 14, 15, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amtex Corporation in view of Suzuki and further in view of Kim (US 5,506,690). Claims 8 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amtex Corporation in view of Suzuki and further in view of Cookson et al. (US 6,148,139).

In response, applicants have amended the claims to include a feature that is believed to patentably differentiate the claimed invention from the cited references for Karaoke applications. Specifically, the claims are amended to call for (1) periodic sampling of the indicia image for a song retrieved from the Karaoke medium to determine an averaged background color of the indicia image, and (2) removing the background image from the indicia image based on the sampled averaged background color. Support for these claim limitations may be found, for example, in page 11, line 16 through page 12, line 11. The sampling of the averaged background color is important because the background color of a Karaoke indicia image not only may be different from one song to another, but also may change from time to time within a song. Accurate periodic sampling of the averaged background color provides a reliable reference for background removal and is important for adequately removing the background from the indicia image before the indicia image can be composited with an external video image, such as that of a Karaoke performer. This feature of periodically sampling an averaged background color of the Karaoke indicia image for background removal in the context of image compositing operations in Karaoke applications is not taught or

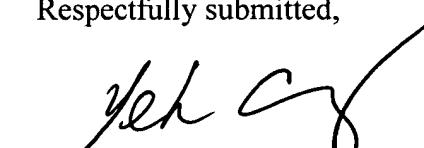
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suggested by the cited prior art references. Accordingly, it is submitted that the claims as amended should be allowable over the cited references.

Conclusion:

This application is considered to be in condition for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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